HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI

Writ Petition No. 15053 of 2001

Between:

The Velivolu Milk Producers Coop. Society Limited,
Velivolu, Krishna District,
Rep. by its President, D.R.K. Prasad

... Petitioner

And

The Milk Commissioner and Registrar of Milk
Cooperatives, Andhra Pradesh APDDCF Ltd.,
Hyderabad & others

... Respondents

:: O R D E R ::

Counsel for the petitioner : Shri P. Sridhar for
Shri Y. Jaganmohan

Counsel for respondent No.2 : Shri N. Rajeswar Rao

September 19, 2007

In this petition, the petitioner has prayed for issue of a direction to respondent No.1 not to convert or register the Krishna District Milk Producers Cooperative Union Limited as a co-operative society under the Andhra Pradesh Mutually Aided Cooperative Societies Act, 1995 (for short, 'the 1995 Act').

At the hearing, Shri N. Rajeswar Rao, learned counsel appearing for respondent No.2 brought to the Court's notice that by an order dated 10.7.2001 passed by District Co-operative Officer, Krishna District (respondent No.3 herein), respondent No.2 had been converted into a co-operative society under the 1995 Act and that Writ

Petition No.15347 of 2001 filed by the petitioner for quashing that order was dismissed in default on 28.10.2004. In order to substantiate this assertion, the learned counsel produced certified copy of the order passed in Writ Petition No.15347 of 2001.

Learned counsel for the petitioner, to whom copy of order dated 28.10.2004 passed in Writ Petition No.15347 of 2001 was shown, fairly admitted that the second writ petition filed by his client for quashing order dated 10.07.2001 passed by respondent No.3 sanctioning the conversion of respondent No.2 into a cooperative society registered under the 1995 Act was dismissed in default.

In view of the above, this petition is liable to be dismissed. Ordered accordingly.

As a sequel to disposal of the writ petition as infructuous, order dated 24.07.2001 is vacated and W.P.M.P.Nos. 18840 and 18841 of 2001 are dismissed.

G.S. SINGHVI, CJ

September 19, 2007

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